IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.14896 of 2004

Between:

Smt. D. Rajasree, W/o D.Ambajee,

R/o H. No. 1-10-301, Kamsari Bazar, New Bowenpally,

Secunderabad-11.

..... PETITIONER

AND

1. The Government of A.P. rep. by Principal Secretary,

Department of Home, Secretariat, Hyderabad-4.
2. The Commissioner of Police, Hyderabad City, Basheerbagh

Hyderabad.
3. Station House Officer, P.S. Bowenpally, Secunderabad-11.
4. D. Ambajee, S/o. D. Bandappa, C/o Smt. Rekha Bai,
   R/o. H. NO. 1-33-81/A, Near Shiva Parvathi Apartments Kamsari

Bazar, New Bowenpally, Secunderabad

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ of Habeas Corpus directing the respondents to produce Master Hitesh, S/o.D.Ambajee before this Hon'ble Court in flesh and restore the child to the custody of the petitioner.

Counsel for the Petitioner: Mr.C.M.R.VELU
Counsel for Respondent Nos.1 to 3: GOVT.PLEADER FOR HOME
Counsel for Respondent No.4: None appeared.

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Respondent No.4 has brought the child to the Court.

It is brought to our notice that the petitioner has already taken out proceedings for maintenance against respondent No.4, which are pending in the Family Court, Hyderabad.

Respondent No.4 is directed to hand over the custody of the minor child Master Hitesh to the petitioner, who is the mother of the child. In our presence, custody has been handed over to the mother. In this view of the matter, insofar as this petition is concerned, nothing survives, and we close the proceedings and relegate the parties to the appropriate court for redressal of other grievances.

_____

(DEVINDER GUPTA, C.J.)

2nd September 2004.

_____

(C.V.RAMULU, J.)

ARS

To

1. The Principal Secretary to Government, Department of Home,

Secretariat,Hyderabad-4.

2. The Commissioner of Police, Hyderabad City, Basheerbagh,

Hyderabad.

3. The Station House Officer, P.S. Bowenpally, Secunderabad-11.

4. Two C.Cs. to Govt. Pleader for Home, High Court Bldgs.,

Hyderabad (OUT).

5. Two C.D. copies.